

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CRIMINAL MINUTES - GENERAL MINUTES

Case No.:

Date: 9/4/19

4:18CR00011 USA v. Marcus Jay Davis, et al

-001 Marcus Jay Davis – Tony Anderson, Bev Davis
-002 Kevin Lamont Trent – Aaron Cook, Jimmy Turk
-003 Kanas Lamont'e Trent – Bonnie Lepold, Mike Hemenway
-004 Deshaun Lamar Trent – Chris Kowalczyk, Patrick Kenney
-005 Phillip Daekwon Miles – Tyson Daniel. Carey Bowen
-006 Shabba Larun Chandler – Aaron Houchens, Jeff Dorsey
-008 Ashley Tiana Ross (not present – waiver of personal appearance filed @ 691) – Terry Grimes
-010 Tenikqua A. Fuller (not present – waiver of personal appearance filed @ 694- Correy Diviney

PRESENT:	JUDGE:	Michael F. Urbanski, CUSDJ
	TIME IN COURT:	9:39-11:18, 11:36-12:39; 1:45-3:33; 3:50-6:17; 6:34-8:26 8 hrs 49 mins
	Deputy Clerk:	Kristin Ayersman
	Court Reporter:	JoRita Meyer
	U. S. Attorney:	Heather Carlton, Ron Huber
	USPO:	Kim Falatic

PROCEEDINGS:

Pretrial Motions/Conference – Daubert - Day 2

All parties present with counsel in Roanoke today for hearing; Danville case.

US states that the parties have agreed to stipulate on the testimony of the next witness scheduled to testify and to allow US to proffer, US Ex 3 CV Courtney Etzelmiller, US Ex 4 Cert of Analysis/lab notes 10/19/16, m/r.

US calls Scott McVeigh, sworn.

US Ex 5, CV Scott McVeigh, m/r.

Recess 11:18

Reconvene 11:36

Witness still sworn, direct continued.

US Ex 6, m/r.

Court informs parties that hearing will be conducted until it is over today, and cannot reset.

Recess 12:39

Reconvene 1:45

Witness still sworn, cross by Deshaun Lamar Trent – Chris Kowalczyk.

Cross by Shabba Larun Chandler – Aaron Houchens, Jeff Dorsey.

Cross by Kanas Lamont'e Trent – Bonnie Lepold.

Court questions witness.

Witness excused.

Recess 3:33

Reconvene 3:50

Dft Deshaun Lamar Trent – Chris Kowalczyk calls David John Lamagna, sworn.

Dft Ex 3, m/r. Dft Trent moves to admit as expert.

Voir dire by US.

Court will allow Mr. Lamagna to testify today and reserves ruling on this witness testifying at trial.

Direct.

Dft Ex 4, m/r.

Recess 6:17

Reconvene 6:34

Cross by US.

US Ex 7 – m/r.

Redirect.

Additional cross.

Witness dismissed.

Parties rest.

Argument by Deshaun Lamar Trent – Chris Kowalczyk.

Argument by Shabba Larun Chandler – Jeff Dorsey.

Argument by Kevin Lamont Trent – Aaron Cook.

Dft Phillip Daekwon Miles – Tyson Daniel Miles joins in argument raised by other defendants.

Court allows all remaining defendants to join.

Argument by US.

Additional argument by Deshaun Lamar Trent – Chris Kowalczyk.

Parties rest.

Court rules on record, as stated.

Court orders US to provide supplementation within ten days (by 9/16/19) of each basis/opinion by Ms. Gibson.

Court will allow US witnesses to testify and gives counsel perimeters on testimony.

Court will issue opinion/order.

Mr. Cook asks for more detail on perimeters of testimony.

Mr. Dorsey asks about redaction of certs of analysis.

Ms. Carlton asks about scheduling of trial - Court will be open Columbus day. 9:30a-5:30p daily, subject to deviation based on needs. Court will allow counsel to put on their case, but will not have duplication.

Mr. Kowalczyk questions some remaining issues re letter motion under seal. Court will file with case participants restriction. Court notes Mr. Grimes scheduling issue. Mr. Anderson questions re order on alibi issue, asking for one week – response by 9/16.

Court will cover some other issues, if not raised, will have argument on 9/13.

Ms. Carlton states US intends to respond and court will hold off on ruling.

Adjourn 8:26